



General Assembly

February Session, 2008

Raised Bill No. 5111

LCO No. 370

00370_____LAB

Referred to Committee on Labor and Public Employees

Introduced by:
(LAB)

***AN ACT CONCERNING STATE EMPLOYEES' LEAVE TIME AND
MILITARY SERVICE.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 5-259d of the 2008 supplement to
2 the general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective October 1, 2008*):

4 (c) Notwithstanding any provision of the general statutes or any
5 public or special act, any state employee who is a member of the
6 armed forces of any state or of any reserve component of the armed
7 forces of the United States and who has been called to active service in
8 the armed forces of any state or the United States for (1) Operation
9 Enduring Freedom, (2) Operation Noble Eagle, (3) a related emergency
10 operation or a military operation whose mission was substantially
11 changed as a result of the attacks of September 11, 2001, (4) federal
12 action or state action authorized by the Governor in support of the
13 federal Department of Homeland Security's Operation Liberty Shield,
14 military operations that are authorized by the President of the United
15 States that entail military action against Iraq, or federal action or state
16 action authorized by the Governor to combat terrorism within the

17 United States, or (5) federal action or state action authorized by the
18 Governor or the President of the United States that entails service or
19 military action as part of Operation Jump Start at the border of the
20 United States and Mexico, shall continue to accrue all vacation time,
21 equivalent leave time and sick time to which the employee would be
22 entitled if he or she had continued working in his or her state position
23 during the time of such active service, and shall be credited with such
24 accrued vacation time, equivalent leave time or sick time, except that if
25 the accrual of such vacation time, equivalent leave time or sick time
26 pursuant to this subsection while on active service would cause the
27 employee to exceed any limit on leave time pursuant to any provision
28 of the general statutes, the regulations of Connecticut state agencies or
29 a collective bargaining agreement, the limit shall be temporarily
30 waived to allow the employee to use the excess leave time before the
31 later of the following: (A) From the date of the state employee's
32 discharge from active service until the state employee returns to state
33 employment, (B) not later than one hundred twenty calendar days
34 after the state employee returns to state employment, [or] (C) not later
35 than one hundred twenty calendar days after the state employee is
36 credited with such excess leave time, or (D) for state employees in
37 teaching or professional positions in Unified School District #1
38 established pursuant to section 18-99a within the Department of
39 Correction who were credited with equivalent leave time pursuant to
40 this section, not later than one year after the employee is credited with
41 such excess leave time. The employee shall be entitled to a leave of
42 absence with pay as provided in section 27-33 from the date on which
43 the employee was called to active service. After the expiration of such
44 leave of absence with pay, the state employee shall receive part pay for
45 the duration of such call-up to active service if the compensation
46 received by the state employee for such active service is less than the
47 employee's base rate of pay, plus longevity, in the employee's primary
48 position. The state employee shall not be required to exhaust accrued
49 vacation time, equivalent leave time or sick time in order to be eligible
50 for the paid leave of absence and part pay under this subsection. As

51 used in this section, "equivalent leave time" means leave time classified
52 as other than vacation time or sick time and includes, but is not limited
53 to, leave time classified as recess rather than vacation time.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2008</i>	5-259d(c)
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Statement of Purpose:

To allow certain employees in the Department of Correction to use paid leave time, part pay and accrue benefits while participating in certain military operations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]